

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FRED ALSTON, as a Trustee of THE LOCAL :  
272 LABOR MANAGEMENT PENSION :  
FUND; FRED ALSTON, as a Trustee of THE :  
LOCAL 272 WELFARE FUND, : 23-CV-212 (VSB)

Plaintiffs, : **ORDER**

-against- :  
:

THE CAR PARK OF NEW YORK, LLC, :  
:

Defendant. :  
:

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VERNON S. BRODERICK, United States District Judge:

Plaintiffs filed this action on January 10, 2023, (Doc. 1), and filed an affidavit of service on February 26, 2023, (Doc. 6), stating that Defendant had been served on January 23, 2023, (*Id.*) The deadline for Defendant to respond to Plaintiffs' complaint was February 13, 2023. (*See id.*) To date, Defendant has not appeared or responded to the complaint. Plaintiffs, however, have taken no action to prosecute this case. Accordingly, if Plaintiffs intend to seek a default judgment, they are directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than March 15, 2023. If Plaintiffs fail to do so or otherwise demonstrate that they intend to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: March 1, 2023  
New York, New York

  
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VERNON S. BRODERICK

United States District Judge